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IN THE SUPREME COURT OF BELIZE, A. D. 2015

CLAIM NO. 317 of 2015

(CONRAD VINCENT SMITH

CLAIMANT

BETWEEN( AND

(CHIEF MAGISTRATE  
(THE ATTORNEY GENERAL  
(CPL. 259 GINO PECK

DEFENDANTS

IN THE SUPREME COURT OF BELIZE, A. D. 2015

CLAIM NO. 318 of 2015

(MING PEI CHEN

CLAIMANT

BETWEEN( AND

(CHIEF MAGISTRATE  
(THE ATTORNEY GENERAL  
(CPL. 259 GINO PECK

DEFENDANTS


The <sup>3<sup>rd</sup></sup> day of May, 2016

BEFORE THE HONOURABLE CHIEF JUSTICE KENNETH BENJAMIN

UPON the trial of these consolidated, fixed date claims for a Case stated for  
Determination coming on for hearing on the 6<sup>th</sup> day of April, 2016.

AND UPON hearing Counsel for the Claimants, Mr. Anthony Sylvestre, and  
Counsel for the Defendants, Miss Tricia Young, Sr. Crown Counsel, appearing  
along with Ms. Agassi Finnegan, Crown Counsel.

IT IS THEREFORE ORDERED THAT:

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1. A declaration is granted that the mandatory minimum sentence of five years as stipulated in Section 32 of the Firearms Act, as amended by Act No 28 of 2010 is a violation of Section 7 of the Constitution of Belize as being as a grossly disproportionate punishment.
  2. The word "shall" which appears therein Section 32 of the Firearms Act as amended by Act No. 28 of 2010, is to be replaced with the word "may".
  3. Costs is awarded to the Claimants in the sum of \$5,000.00.

DATED the 13<sup>th</sup> day of June, 2016.

*By Order*

  
REGISTRAR